GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Labour Factories Boilers & Insurance Medical Services Department – RULES – Industrial Relations Code, 2020 - the Industrial Relations (Andhra Pradesh State) Rules, 2022 – Preliminary Notification – Orders – Issued.

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LABOUR FACTORIES BOILERS & INSURANCE MEDICAL SERVICES (Labour.II) DEPARTMENT

G.O.Rt.No.203 **Dated:13.06.2022**

Read the following:

1) The Industrial Relations Code, 2020 (Central Act No.35 of 2020) notified by the Ministry of Labour & Employment, GOI, New Delhi in Gazette No.60, Dt.29.09.2020.
2) From the Special Commissioner of Labour, Andhra Pradesh, Vijayawada, Lr.No.C/Labour Codes /2020, Dated:19.O4.2021.

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ORDER:

The Ministry of Labour & Employment Government of India, New Delhi, has notified the Industrial Relations Code, 2020(Central Act No.35 of 2020), an Act to consolidate and amend the laws relating to Trade Unions, conditions of employment in Industrial establishment or undertaking, investigation and settlement of industrial disputes and for matters connected therewith or incidental thereto vide first read above.

2. The Special Commissioner of Labour, Andhra Pradesh, Vijayawada in the second read above has furnished draft rules on the Industrial Relations (Andhra Pradesh) Rules, 2022 with a request to issue notification calling for objections and suggestions from general public and stakeholders in the matter.

3. Government after careful examination of the matter hereby decided to issue draft rules, namely the Industrial Relations (Andhra Pradesh) Rules, 2022 in exercise of the powers conferred under section 99 of the Industrial Relations Code, 2020(Central Act No.35 of 2020) read with section 24 of the General Clauses Act, 1897 (Central Act No.10 of 1897) inviting objections and suggestions from general public and stakeholders in the matter.

4. Accordingly, the following notification shall be published in the extraordinary issue of Andhra Pradesh Gazette:

PRELIMINARY NOTIFICATION

The following draft rules, which the Government of Andhra Pradesh proposes to make in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (Central Act No.35 of 2020) read with section 24 of the General Clauses Act, 1897 (Central Act No.10 of 1897) and in supersession of (1) The Andhra Pradesh Industrial Disputes Rules, 1958, (2) The Andhra Pradesh Trade Unions Regulations, 1927 and (3) The Andhra Prdesh Industrial Employment (Standing Orders) Rules, 1953 except as respects of things done or

omitted to be done before such supercession, are hereby notified, as required by sub-section (1) of said section 99, for information of all persons likely to be affected thereby and notice is hereby given that the said notification will be taken into consideration after the expiry of a period of thirty days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public ;

3. The objections and suggestions, if any, should be addressed to the Special Commissioner of Labour, Andhra Pradesh, Vijayawada through the mail address:splcol.labour@gmail.com.

4. Objections and suggestions, which may be received from any person or organization with respect to the said notification before expiry of the period specified above, will be considered by the State Government.

The Industrial Relations (Andhra Pradesh) Rules, 2022

CHAPTER-I

PRELIMINARY

1. Short title and application –

(1) These rules may be called the (Industrial Relation Andhra Pradesh) Rules, 2021.

(2) They shall extend to whole of Andhra Pradesh in respect to the industrial establishments and matters for which the Andhra Pradesh Government is the appropriate Government.

(3) They shall come into force on the date of their publication in the Official Gazette of Andhra Pradesh.

1A. Definition.-

(1) In these rules, unless the context otherwise requires,-

(a) "Code" means the Industrial Relations Code, 2020 (35 of 2020);

(b) "Section" means the section of the Code;

(c) "Electronically" means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of Code;

(d) "Industrial Tribunal" means the Industrial Tribunal under the Code;

(2) The words and expressions used in these rules which are not defined therein, but are defined in the Code, shall have their respective meaning as assigned to them in the Code.

2. Written agreement for the settlement before the Conciliation Officer under clause (zi) of section 2.- The Agreement under clause (zi) of Section 2 for written agreement between the employer and worker shall be in the form specified in FORM-I and shall be to signed by the parties in the agreement and a copy thereof shall be sent to the concerned Conciliation Officer.

CHAPTER – II

BI-PARTITE FORUMS

3. Constitution of Works Committee etc. under section 3. –

(1) Every employer to whom an order made by under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee in the manner as is specified in the following sub-rules:-

(2) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the establishment:

Provided that the total number of members of the Works Committee shall not exceed twenty:

Provided further that the number of representatives of the worker in the Works Committee shall not be less than the number of representatives of the employer there in.

(3) Subject to the provisions of this rule, the representatives of the employer in the Works Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with, the working of the industrial establishment.

(4) (a) Where any workers of the industrial establishment are members of a registered Trade Union, the employer shall ask such Trade Union to inform him in writing as to-

(i) How many of the workers are members of such Trade Union; and

(b) Where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union is false, he may, after informing such Trade Union, refer the matter to the Deputy Registrar as appointed for respective jurisdiction under sub - section (1) section (5) of the Code, who shall, after hearing the parties, shall decide the matter and his decision shall be final.

(5) On receipt of the information called for under sub-rule (4), the employer shall provide for the selection of worker's representative on the Committee in two(2) following groups, namely:-

(a) Registered Trade Union may choose their representatives as members for works committee in the proportion of their membership.

(b) Where there is no registered Trade union, workers may choose amongst themselves representatives for works committee.

(6) (a) The Works Committee shall have among its office-bearers a Chairman, a Vice-Chairman, a Secretary and a Joint- Secretary. The Secretary and the Joint-Secretary shall be elected every year.

(b) the Chairman shall be nominated by the employer from amongst the employer's representatives on the Works Committee and he shall, as far as possible, be the head of the

industrial relations;

(c) the Vice-Chairman shall be elected by the members, on the Works Committee representing the workers, from amongst themselves:

Provided that in the event of equality of votes in the election of the Vice- Chairman, the matter shall be decided by draw of a lot;

(d) the Works Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the worker and vice versa:

Provided that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the employer or the worker for two consecutive years:

Provided further that the representatives of the employer shall not take part in the election of the Secretary or Joint Secretary, as the case may be, from amongst the representatives of the worker and only the representatives of the worker shall be entitled to vote in such elections;

(e) In any election under clause (d), in the event of equality of votes, the matter shall be decided by a draw of lot.

(7) (a) The term of office of the representatives on the Works Committee other than a member chosen to fill a casualvacancy shall be two(2) years;

(b) The term of office of the representatives on the Works Committee other than a member chosen to fill a casual vacancy shall be two years;

(c) A member chosen to fill a casual vacancy shall hold office for the unexpired term of his predecessor;

(d) A member who without obtaining leave from the Works Committee, fails to attend three consecutive meetings of the Committee shall forfeit his membership.

(8) In the event of worker's representative ceasing to be a member under clause (c) of sub-rule (7) or ceasing to be employed in the establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule from the same group to which the member vacating the seat belonged.

(9) The Works Committee shall have the right to co-opt in a consultative capacity, persons employed in the industrial establishment having particular or special knowledge of a matter under discussion. Such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Works Committee.

(10) **(a)** The Works Committee may meet as often as necessary but notless often than once in three months

(b) The Works Committee may meet as often as necessary but notless often than once in three months

(c) The Works Committee shall at its first meeting regulate its own procedure;

(11) (a) The employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representative of the worker shall be deemed to be on duty while attending the meeting;

(b) The employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representative of the worker shall be deemed to be on duty while attending the meeting;

(c) The Secretary of the Works Committee may with the prior concurrence of the Chairman, put up notice regarding the work of the Works Committee on the notice board of the industrial establishment.

4. Manner of choosing members from the employers and the workers for Grievance Redressal Committee under sub-section (2) of section 4.- (1) The Grievance Redressal Committee shall consist of equal number of members representing the employer and the workers, which shall not exceed ten.

(2) The representatives of the employer shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.

(3) The representatives of the workers shall be chosen by the registered Trade Union. In case where there is no registered Trade union the member may be chosen by the workers of the industrial establishment :

Provided that there shall be adequate representation of women workers in the Grievance Redressal Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment :

Provided further that the tenure of the members of the Grievance

Redressal Committee shall be coterminous with the tenure of the members of the registered Trade Union :

Provided further that in the absence of registered Trade Union, the tenure of members of Grievance Redressal Committee shall be for a period of two years from the date of the constitution of the Grievance Redressal Committee.

(4) Where any workers of the industrial establishment are members of a registered Trade Union, the employer shall ask such Trade Union to inform him in writing as to –

(a) how many of the workers are members of such Trade Union ;

(b) Where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union is false, he may, after informing such Trade Union, refer the matter to the Deputy Registrar as appointed for respective jurisdiction under sub - section (1) section (5) of the Code, who shall, after hearing the parties, shall decide the matter and his decision shall be final.

(5) On receipt of the information called for under sub-rule (4), the employer shall provide for the selection of workers' representative on the Committee by two following groups, namely :—

(a) registered Trade Union may choose their representatives as members for Grievance Redressal Committee in the proportion of their membership.

(b) such workers those who are not members of registered Trade Union, may choose amongst themselves representatives for the Grievance Redressal Committee.

5. **Application in respect of any dispute to be filed before the Grievance Redressal Committee by any aggrieved worker under sub-section (5) of section 4.-** Any aggrieved worker may file an application stating his dispute therein before the Grievance Redressal Committee giving his name, designation, employee Code, Department where posted, length of service in years, category of worker, address for correspondence, contact number, details of grievances and relief sought. Such application may be sent electronically or otherwise. The Grievance may be raised within one year from the date on which the cause of action of such dispute arises.

6. **Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer under sub-section (8) of section 4.-** Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty(30) days of receipt of the application, may file an application through official web Portal of the Labour Department as mentioned on website of the same or by registered post or speed post or personally within a period of sixty days from

the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer as appointed for respective jurisdiction under Section 2(i) of the Code through the Trade Union, of which he is a member or otherwise:

Provided that in case of manual receipt of such application through registered post or speed post, the conciliation officer shall get the same digitized and enter the particulars of the application in the online mechanism under intimation to the concerned worker.

CHAPTER – III
STANDING ORDERS

7. **Manner of forwarding information to certifying officer under sub-section (3) of section 30.— (1)** If the employer adopts the model standing order of the Central Government referred to in section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically the specific date from which the provisions of the model standing order which are relevant to his establishment have been adopted.

(2) On receipt of information in sub-rule (1) the certifying officer within a period of thirty days from such receipt may give his observation that the employer is required to include certain provisions which are relevant to his establishment and indicate those relevant provisions of the model standing orders which have not been adopted and shall also direct the employer to amend the standing order so adopted, by way of addition, deletion or modification within a period of thirty (30) days from the date of the receipt of such direction and ask for compliance report only in respect of provisions which the certifying officer seeks to get so amended and such report shall be sent electronically by the employer.

(3) If no observation is made by certifying officer within a period of thirty (30) days of the receipt of the information as specified in sub-rule (1) and (2), then, the standing order shall be deemed to have been adopted by the employer.

8. **Manner of choosing representatives of workers of the industrial establishment or undertaking for issuing notice by certifying officer where there is no Trade Union operating, under clause (ii) of sub-section (5) of section 30.-** Where there is no such Trade Union as is referred to in clause (i) of said sub-section (5), then, the certifying officer shall direct the workers to choose three (3) representatives within ten(10) days from the date of such order. The name of theses representatives shall be sent to the Conciliation Officer for verification, to whom he shall, upon their being chosen, forward a copy of the standing order requiring objections, if any, which the workers may desire to make to the draft standing order to be

submitted within fifteen days from the receipt of the notice.

9. **Manner of authentication of certified standing orders under sub-section (8) of section 30.—**Standing orders or modification in the standing orders, certified in pursuance of sub-section (8) of section 30 or the copies of the order of the appellate authority under sub-section (1) of section 33 shall be authenticated by the certifying officer or the appellate authority, as the case may be, and shall be sent electronically within a week to all concerned, but there shall not be any requirement of certification in cases of deemed certification under sub- section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

10. **Statement to be accompanied with draft standing orders under sub-section (9) of section 30-** A statement to be accompanied with—

    (i) draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address, contact number and strength and details of workers employed therein including particulars of Trade union to which such workers belong ; and

    (ii) draft modification in the existing standing orders, shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provision of standing order in force and proposed modification therein and reasons thereof and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

11. **Conditions for submission of draft standing order in similar establishment under sub-section (10) of section 30.—**In cases of group of employer engaged in similar industrial establishment may submit a joint draft standing order under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof after consultation with the concerned Trade Unions :

    Provided that the joint draft standing orders, in cases of group of employers engaged in similar industrial establishments, will be drafted and submitted to the Commissioner of Labour as the case may be, who shall, in consultation with the concerned certifying officers, certify or refuse to certify the said joint draft standing order, after recording reasons there for.

12. **Manner of disposal of appeal by appellate authority under section 32.— (1)** An employer or Trade Union desirous of preferring an appeal against the order of the certifying officer given under sub- section (5) of section 30 shall within sixty days of the receipt of such order shall draw up a memorandum of appeal in tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added and reasons thereof and shall be filed electronically to the appellate authority.

    (2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given—

(a) where the appeal is filed by the employer or a worker, to Trade Union of the workers of the industrial establishment or to the representative body of the workers concerned or to the employer, as the case may be;

(b) where the appeal is filed by a Trade Union, to the employer and all other Trade Unions of the workers of the industrial establishment ; and

(c) where the appeal is filed by the representative of the workers, to the employer and any other worker whom the appellate authority joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal.

(4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called or consider to be relevant if produced and after hearing the parties dispose of the appeal.

13. **The language and the manner of maintaining standing order under sub-section (1) and (2) of section 33.— (1)** The standing order finally certified by certifying officer shall be sent electronically except in the case of deemed certification under section 30.

(2) The text of the standing order as finally certified or deemed tohave been certified or adopted model standing order under this Chapter shall be maintained by the employer in English and in Telugu.

14. **Register for final certified copy of Standing Order under section 34.— (1)** The certifying officer shall maintain electronically, a register of all standing orders certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments, inter-alia, containing the details of—

(a) the unique number assigned to each standing order ;

(b) name of industrial establishment ;

(c) nature of industrial establishment ;

(d) date of certification or deemed certification or date of adoption of model standing order by each establishment or undertaking ;

(e) the areas of the operation of the industrial establishment ; and

(f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed certifying orders to any person applying there for on payment of two rupees per page of the certified standing order or deemed certified standing orders, as the case may be. The payment for such purpose can also be made through electronic mode.

15. **Application for modification of Standing Order under sub- section (2) of section 35.—**The application for modification of an existing standing order under sub-section (2) of section 35 shall be submitted electronically and contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade Union(s) operating therein, and such statement shall be signed by a person

authorized by the industrial establishment or undertaking..

CHAPTER - IV
NOTICE OF CHANGE

16. The manner of giving of notice for change proposed to be effected under clause (i) of section 40.— (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in (Form-II) to such worker affected by such change.

2) The notice referred in sub-rule (1) shall be displayed conspicuously by the employer on the notice board at the main entrance of the industrial establishment and the office of the concerned Manager of the industrial establishment:

Provided that where there is a registered Trade Union or registered Trade Unions relating to the industrial establishment a copy of such notice shall also be served on the Secretary of such Trade Union or each of the Secretaries of such Unions, as the case may be.

CHAPTER - V

VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

17. Form of arbitration agreement and the manner thereof under sub-section (3) of section 42.—

(1) (1) Where the employer and workers agree to refer the dispute to arbitration, the Arbitration Agreement shall be in Form-III and shall be signed by the parties to the agreement. The agreement shall be accompanied by the consent either in writing or electronically of arbitrator or arbitrators.

(2) The Arbitration Agreement referred to in sub-rule (1) shall be signed— **(i)** In case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purposes;

(ii) In the case of the workers by the officer of the registered Trade Union authorized in this behalf or by three representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose ;

(iii) In the case of an individual worker, an individual worker by the worker himself or by an officer of registered Trade Union of which the worker is a member.

Explanation:—

(1) In this rule, the expression 'officer' means any officer of a registered Trade Union or an association of the employer authorized for such purpose ;

(2) In this rule officer 'means any of the following officers, namely:—.

(a) the President ;

(b) the Vice-President ;

(c) the Secretary (including the General Secretary) ;

(d) a Joint Secretary ; and

(e) any other officer of the Trade Union authorized in this behalf by the President and Secretary of the union.

18. **Manner of issue of notification under sub-section (5) of section 42.—** Where an industrial dispute has been referred to arbitration and the State Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and electronically for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute and they may present their case before the arbitrator or arbitrators appointed for such purpose.

19. **Manner of choosing representatives of workers where there is noTrade Union under sub-section (5) of section 42.—** Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in Form-IV authorizing therein to represent the case. Such workers shall be bound by the acts of representatives who have been authorized to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER - VI

MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

20. Manner of filling up of the vacancy under sub- section (9) of Section 44 and Procedure for selection, Salaries and allowances and other terms and conditions of judicial member of Industrial Tribunal Under sub-section (5) of section 44 — (1) The qualification for appointment of the judicial member of the industrial tribunal (hear in after in this chapter referred to as the judicial member) shall be such as provided in sub section (4) and sub section (5) of section 44

(2) The Judicial member shall be appointed by the State Government on the recommendation of the Andhra Pradesh High Court who shall function as Search cum Selection committee (SCSC) specified in sub rule (3)

(3) The Search cum Selection Committee (SCSC) shall comprise of the following members, namely :-

(i) Chief justice of Andhra Pradesh High Court or a Judge of High Court nominated by him – Chairperson;

(ii) Sitting President and judicial Member of the Industrial Tribunal – Member;

(iii) Principle Secretary / Secretary to the Government of Andhra Pradesh, Labour, Factories, Boilers, and Insurance Medical Services Department – Member; and

(iv) Principle Secretary / Secretary to the Government of Andhra Pradesh, Department of Industries – Member,

(v) Principal Secretary / Secretary to the Government of Andhra Pradesh, Law Department – Member

(4) The Search-cum-Selection Committee (SCSC) shall determine its procedure for making its recommendation and, after taking into account qualification, suitability, record of past performance,integrity as well as educatory experience keeping in view of the requirement of the industrial tribunal recommend a panel of two or three persons as it deems fit for appointment to each post.

(5) No appointment of a Judicial member shall be declared in valid merely by reason of a vacancy or absence of any member in the Search-cum-Selection committee.

(6) A Judicial member shall hold office for a term of four (4) years from the date on which he enters upon his office or till he attains the age of sixty-five (65) years, whichever is earlier.

(7) In case of casual vacancy in the office of Judicial Member, the State Government shall appoint the Judicial Member of the other Industrial Tribunal to officiate as Judicial Member.

(8) **(a)** A **J**udicial Member shall be paid a salary of Rs. 2,25,000/- (Two Lakhs Twenty Five Thousand) (fixed) per month and shall be entitled to draw allowances as are admissible to an officer of the

Government of Andhra Pradesh holding Group I post carrying the same pay.

(b) In case of appointment of retired High Court Judge, his pay shall be reduced by the gross amount of pension drawn by him

(9) (a) In case of serving High Court Judges, the service rendered in the Industrial Tribunal shall be counted for pension to be drawn in accordance with the extant rules of the service to which they belong and they shall be governed by the provisions of General Provident Fund (State Service) Rules, 1960 and the rules for pension applicable to them.

(b) In case of retired High Court Judges, they shall be entitled to join Contributory Provident Fund Scheme as per rules during the period of their re-employment and additional gratuity shall not be paid for the service rendered in the Industrial Tribunal.

A Judicial Member shall be entitled for rent free furnished accommodation or house rent allowance at the rate as admissible to an officer of the Government of Andhra Pradesh holding Group I post carrying the same pay.

(10) **(a)** In case of serving High Court Judges, leave shall be admissible as admissible to the serving High Court Judges.

(b) In case of retired High Court Judges, leave shall be admissible as are admissible to an officer of the Government of Andhra Pradesh holding Group I post carrying the same pay.

(11) **(a)** The High Court shall be the leave sanctioning authority for the Judicial Member

(b) The High Court shall be the sanctioning authority for foreign travel to the Judicial Member.

(12) State Government Health Scheme facilities as admissible to an officer of the Government of Andhra Pradesh holding Group I post carrying the same pay shall be applicable.

(13) (a) Travelling allowance to a Judicial member shall be admissible as per entitlement of an officer of the Government of Andhra Pradesh holding Group I post carrying the same pay.

(b) In case of retired High Court Judges, transfer travelling allowance for joining the Industrial Tribunal from home town to head quarter and vice-versa at the end of assignment shall also be admissible as entitlement of an officer of the Government of Andhra Pradesh holding Group I post carrying the same pay.

(14) A Judicial Member shall be entitled for leave travel concession as admissible to an officer of the Government of Andhra Pradesh holding Group I post carrying the same pay.

(15) A Judicial Member shall be entitled for transport allowance as admissible to an officer of the Government of Andhra Pradesh holding Group I post carrying the same pay.

(16) No person shall be appointed as Judicial Member unless he is declared medically fit by an authority specified by the State Government in this behalf.

(17) **(a)** If a written and verifiable complaint is received by the State Government, alleging any definite charge of misbehavior or incapacity to perform the functions as Judicial Member, it

shall make a preliminary scrutiny of such complaint.

(b) If on preliminary scrutiny, the State Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any misbehavior or incapacity of a Judicial Member, it shall make a reference to the Search-Cum-Selection Committee to conduct the inquiry.

(c) The Search-Cum-Selection Committee shall complete the inquiry within six (6) month's time or such further time as may be specified by the State Government.

(d) After conclusion of the inquiry, the Search-Cum-Selection Committee shall submit its report to the State Government stating therein its findings and the reasons thereof on each of the charges separately with such observations on the whole case as it may think fit.

(18) The Search-Cum-Selection Committee shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908) but shall be guided by the principles of natural justice and shall have power to regulate its own procedure, including the fixing of date, place and time of its inquiry.

(19) A Judicial Member may, resign his office at any time by giving notice to this effect in writing under his hand addressed to the State Government:

Provided that the Judicial Member shall, unless he is permitted by the State Government to relinquish office sooner, continue to hold office until the expiry of three (3) months from the date of receipt of such notice or until a person duly appointed as a successor enters upon his office or until the expiry of his term of the office, whichever is earlier.

(20) The State Government shall, on the recommendation of Search-Cum-Selection Committee, remove from office any Judicial Member, who,-

(a) has been adjudged as an insolvent; or

(b) has been convicted of an offence which, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as such a Judicial Member; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Judicial Member; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that where a Judicial Member is proposed to be removed on any ground specified in clauses (b) to (e), he shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.

(21) Every person appointed as Judicial Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the Form-IV(A) annexed to these rules.

(22) Matter relating to the terms and conditions of services of the Judicial Member with respect to which no express provisions has been made

in these rules, shall be referred by the Industrial Tribunal to the State Government for its decision, and the decision of the State Government thereon shall be binding.

(23) The State Government shall have power to relax the provision of any of these rules in respect of any class or categories of persons for the reasons to be recorded in writing.

21. Manner of filling up of the vacancy under sub-section (9) of Section 44 and procedure for selection, salaries and allowances and other terms and condition of Administrative Member of the Industrial Tribunal under sub-section (4) and (5) of section 44.-

(1) The qualification for appointment of the Administrative Memberof the Industrial Tribunal (hereinafter in this chapter referred toas Administrative Member) shall be such as given in sub-section (4)and Sub-section (5) of section 44.

(2) The Administrative Member shall be appointed by the State Government on the recommendation of a Search Cum Selection Committee (SCSC) specified in sub-rule (3) of this rule.

(3) The Search Cum Selection Committee shall comprise of the following members, namely:-

(i) Chief Secretary to the Government of Andhra Pradesh, - Chairperson;
(ii) Principal Secretary/ Secretary to the Government of Andhra Pradesh, Labour, Factories, Boilers and Insurance Medical Services Department - Member,
(iii) Principal Secretary / Secretary to the Government of Andhra Pradesh, Department of Industries – Member.
(iv) Principal Secretary / Secretary to the Government of Andhra Pradesh, Law Department– Member.
(v) Principal Secretary / Secretary to the Government of Andhra Pradesh, General Administration – Member.

(4) The Search-cum-Selection Committee (SCSC) shall determine its procedure for making its recommendation and, after taking into account qualification, suitability, record of past performance, integrity as well as experience keeping in view of the requirement of the Industrial Tribunal and recommend a panel of two or three persons as it deems fit for appointment to said post.

(5) No appointment of Administrative Member shall be declared invalid merely by reason of one vacancy or absence of any Member in the Search-cum-Selection Committee.

(6) An administrative Member shall hold office for a term of four years or till he attains the age of sixty five years, whichever is earlier.

(7) In case of casual vacancy in the office of Administrative Member,

the State Government shall appoint the Administrative Member of the other Industrial Tribunal to officiate as Administrative Member.

(8) The Administrative Member shall be paid a salary of rupees 2,25,000/- (fixed) per month and shall be entitled to draw allowances as are admissible to an officer of the Government of Andhra Pradesh holding Group I post carrying the same pay. In case of retired Government Officer, his pay shall be reduced by the gross amount of pension drawn by him.

(9) **(a)** In case of serving Government Officer, the service rendered in Industrial Tribunal shall be counted for pension to be drawn in accordance with the extant rules of the service which he belongs and shall be governed by the prevalent Provident Fund Rules in the state.

(b) In case of retired Government Officers, they shall be entitled to join Contributory Provident Fund Scheme as per extant rules during period of their re-employment. Additional gratuity shall not be admissible for the service rendered by the Administrative Member in the Industrial Tribunals.

(10) Administrative Member shall be entitled for house rent allowance at the rate as admissible to an officer of the State Government holding Group I post carrying the same pay or shall be entitled for house rent allowance at the rate as admissible to an officer of the State Government holding Group I post carrying the same pay or may be allotted a suitable government accommodation.

(11) (a) In case of serving Government Officer, leave shall be admissible in accordance with the extant rules of the service which he belongs.

(b) In case of retired Government Officers, leave shall be admissible as are admissible to an officer of the State Government holding Group I post carrying the same pay.

(12) (a) The State Government shall be the leave sanctioning authority for the Member

(b) The State Government shall be the sanctioning authority for foreign travel to the Administrative Member.

(13) State Government Health Scheme facilities as admissible to an officer of the State Government holding Group I post carrying the same pay shall be applicable.

(14) **(a)** Travelling allowance to an Administrative Member shall be admissible as per entitlement an officer of the State Government holding Group I post carrying the same pay.

(b) In case of retired Government Officer, transfer travelling allowance for joining the State Industrial Tribunal from home town to head quarter and vice-versa at the end of assignment

shall also be admissible as entitlement of an officer of the State Government holding Group I post carrying the same pay.

(15) An Administrative Member shall be entitled for leave travel concession as admissible to an officer of the State Government holding Group I post carrying the same pay.

(16) An Administrative Member shall be entitled for transport allowance as admissible to an officer of the State Government holding Group I post carrying the same pay.

(17) No person shall be appointed as an Administrative Member, unless he is declared medically fit by an authority specified by the State Government in this behalf.

(18) **(a)** Travelling allowance to an Administrative Member shall be admissible as per entitlement an officer of the State Government holding Group I post carrying the same pay

(b) If on preliminary scrutiny, the State Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any misbehavior or incapacity of an Administrative Member, it shall make a reference to the Search-Cum-Selection Committee to conduct the inquiry.

(c) The Search-Cum-Selection Committee shall complete the inquiry within six months' time or such further time as may be specified by the State Government.

(d) After conclusion of the inquiry, the Search-Cum-Selection Committee shall submit its report to the State Government stating therein its findings and the reasons thereof on each of the charges separately with such observations on the whole case as it may think fit.

(e) The Search-Cum-Selection Committee shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (Act no.5 of 1908) but shall be guided by the principles of natural justice and shall have power to regulate its own procedure, including the fixing of date, place and time of its inquiry.

(19) An Administrative Member may, resign his office at any time by giving notice to this effect in writing under his hand addressed to the State Government:

Provided that the Administrative Member shall, unless he is permitted by the State Government to relinquish office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as a successor enters upon his office or until the expiry of his term of the office, whichever is earlier.

(20) The State Government shall, on the recommendation of the Search-Cum-Selection Committee, remove from office any Administrative

Member, who-

(a) has been adjudged as an insolvent; or

(b) has been convicted of an offence which, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as such Member; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as an Administrative Member; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that where an Administrative Member is proposed to be removed on any ground specified in clauses (b) to (e), he shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.

(21) Every person appointed as Administrative Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the Form-IVA annexed to these rules.

(22) Matter relating to the terms and conditions of services of the Administrative Member with respect to which no express provisions has been made in these rules, shall be referred by the Industrial Tribunal to the State Government for its decision, and the decision of the State Government thereon shall be binding.

(23) The State Government shall have power to relax the provision of any of these rules in respect of any class or categories of persons for the reasons to be recorded in writing.

22. Manner of holding conciliation proceedings under sub- section (1), full report under sub-section (4), and application and the manner of deciding such application under sub-section (6) of section 53.-

(1) Where any industrial dispute exists or is apprehended or a notice under section 62 has been given, the conciliation officer on receipt of such application shall examine the application and if he finds that the dispute pertains to the jurisdiction of concern Government shall transfer the dispute to the concerned authority. In other cases, he will issue first notice to the parties concerned declaring his intention to commence conciliation proceedings,-

(i) The employer or the workers representative in the first meeting shall submit their respective statement in the matter of said dispute ;

(ii) The conciliation officer shall hold conciliation proceedings for the purpose of bringing about a settlement of the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement.

(2) If no such settlement is arrived at in the conciliation proceeding referred to in sub-rule (1), the conciliation officer shall submit a report on online portal within seven days from the date on which the conciliation proceedings are concluded and made available on the said Online Portal.

(3) The report referred to in sub-rule (2) shall be accessible to the parties concerned on the said Online Portal.

(4) The report referred to in sub-rule (2) shall contain inter-alia the submissions of the employer, worker or Trade union, as the case may be, and it shall also contain the efforts made by the conciliation officer to bring the parties to the amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion of the conciliation officer.

(5) Any dispute which is not settled during the conciliation proceedings, then, either of the concerned party may make an application in FORM-V, before the Industrial Tribunal electronically or otherwise within ninety days from the date of the report under sub-rule (2).

(6) In case of an industrial dispute which has not been settled during the conciliation proceedings, an application may be made before the Industrial Tribunal by either of the parties concerned for adjudication. The Industrial Tribunal shall direct the party raising the dispute to file a statement of claim with complete details along with relevant documents, list of supporting documents and witnesses within thirty days from the date on which application is filed. A copy of such statement may be sent electronically or otherwise for service on each of the opposite parties in the dispute.

(7) The Industrial Tribunal after ascertaining that the copies of statement of claim and other related documents are furnished to the other side by the party raising the dispute, the Industrial Tribunal shall fix the first hearing as soon as possible and within a period of one month from the date of receipt of the application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.

(8) Where the Industrial Tribunal finds that the party raising the dispute, despite its directions, did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties, granting extension of fifteen days for filing the statement, if the Industrial Tribunal finds sufficient cause for not filing the statement of claim and other documents within time.

(9) Evidence shall be recorded either in Industrial Tribunal or, may be filed on affidavit but in the case of affidavit the opposite party shall

have the right to cross-examine each of the deponents filing the affidavit. Where the oral examination of each witness proceeds, the Industrial Tribunal shall make a memorandum of the substance of what is being deposed. While recording the oral evidence the Industrial Tribunal shall follow the procedure laid down in rule 5 of Order XVIII of the First Schedule to the Code of Civil Procedure, 1908 (Act No.5 of 1908).

(10) On completion of evidence, arguments may be heard immediately or a date may be fixed for arguments, which shall not be beyond a period of fifteen (15) days from the closure of evidence.

(11) The Industrial Tribunal shall not ordinarily grant an adjournment for a period exceeding a week at a time, but not in any case more than three adjournments in all, at the instance of the parties to the dispute, shall be granted :

Provided that the Industrial Tribunal for reasons to be recorded in writing, grant an adjournment exceeding a week at a time but not in any case more than three (3) adjournments, at the instance of any one of the parties to the dispute, shall be granted.

(12) In case any party defaults or fails to appear at any stage, the Industrial Tribunal may proceed with the case ex-parte, and decide the application in the absence of the defaulting party :

Provided that the Industrial Tribunal may on the application of either party filed before the submission of the award, revoke the order that the case shall proceed ex parte, if it is satisfied that the absence of the party was on justifiable grounds, and proceed further to decide the matter as contested.

(13) The Industrial Tribunal shall communicate its Award electronically or otherwise to the parties concerned and the State Government and upload on the Online Portal within one month from the date of the pronouncement of the award.

(14) The Industrial Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and shall be deemed to be a civil court within the meaning of sections 345, 346 and 348 of the Code of Criminal Procedure, 1973 (Act No.1 of 1974).

(15) Where assessors are appointed to advise a Industrial Tribunal under sub- section (5) of section 49 in relation to proceeding before it, the Industrial Tribunal shall obtain the advice of such assessors, but such advice shall not be binding on such Industrial Tribunals.

(16) A party in an award, who wants to obtain a copy of the award or other document, may obtain a copy of the award or other document after depositing the fee electronically in the Industrial Tribunal in the following manner, namely :-

(a) fee for obtaining a copy of an award or the document filed in

any proceedings of Industrial Tribunal be charged at the rate of Rs. Two per page or as fixed by the State Government, from time to time by notification ;—

(b) For certifying a copy of any such award or order or document, a fee of Rs. Two per page or as fixed by the State Government, from time to time by notification shall be payable ;

(c) Copying and certifying fees shall be payable electronically ;

(d) Where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.

(17) The representatives of the parties appearing before a Industrial Tribunal shall have the right of examination, cross-examination and of addressing the Industrial Tribunal when evidence has been called.

(18) The proceedings before Industrial Tribunal shall be held in open court :

Provided that the Industrial Tribunal may direct any proceeding before it to be held by video conferencing:

Provided further that Industrial Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in-camera

CHAPTER - VII
STRIKES AND LOCK-OUTS

23. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice under sub-section (4) of section 62.— The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in Form-VI which shall be duly signed by the Secretary and five elected representatives of the registered Trade Union, which is either a negotiating union or member Trade Union of the negotiating council relating to such industrial establishment endorsing the copy thereof electronically or otherwise to the concerned Conciliation Officer and the Commissioner of Labour.

24. Manner of giving notice of lock-out under sub-section (5) and authority under sub-section (6) of section 62.-

(1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in Form-VII to the Secretary / General Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof to the concerned Conciliation Officer and the Commissioner of Labour electronically or otherwise. The notice shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

(2) If the employer of an industrial establishment receives from any person employed by him any notice of strike as referred to in sub-section (1) of section 62 then he shall within five (5) days from the date of receiving of such notice, intimate the same electronically or otherwise to the concerned Conciliation Officer and Commissioner of Labour.

(3) If the employer gives to any person employed by him a notice of lock-out, then he shall within five (5) days from the date of such notice, intimate electronically or otherwise the same to the concerned Conciliation Officer and Commissioner of Labour.

CHAPTER - VIII

LAY-OFF, RETRENCHMENT AND CLOSURE

25. Manner of serving notice before retrenchment of the worker under clause (c) of section 70.—If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one (1) year under him then, such employer shall give notice of such retrenchment, in Form-VIII to the State Government, and the concerned authority of respective jurisdiction notified by State Government electronically and by registered or speed post.

26. **Manner of giving an opportunity for re-employment to the retrenched workers under section 72.—**Where any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling up such vacancy, then, the employer of such industrial establishment shall offer an opportunity at least Ten (10) days before by registered post or speed post and through electronically to such retrenched workers who are citizens of India. If such workers give their willingness for employment then, the employer shall give them preference over other persons in filling up of such vacancy.

27. **Manner of serving notice by the employer for intended closure under sub-section (1) of section 74.—**If an employer intends to close down an industrial establishment he shall give notice of such closure in Form-VIII to the State Government and a copy thereof to the and the concerned authority of respective jurisdiction notified by State Government electronically and by registered post or speed post.

CHAPTER - IX

SPECIAL PROVISIONS RELATING TO LAY-OFF, AND CLOSURE IN CERTAIN ESTABLISHMENTS

28. **Manner of making application to the State Government by the employer for the intended lay-off and the manner of serving copy of such application to workers under sub- section (2) of section 78.-** An application for permission under sub- section (1) of section 78 shall be made to the State Government or an officer authorized by it in this regard by the employer in Form-IX stating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

29. **Manner for applying for permission from the State Government to continue the lay-off under sub-section (3) of section 78.—**The employer shall in case of an industrial establishment being a mine specified in sub-section (3) of section 78 where the workers (other than Badli workers or casual workers) have been laid-off under sub-section (1) of section 78 for reasons of fire, flood or excess of inflammable gas or explosion, within a period of thirty (30) days from the date of commencement of such lay-off, apply to the State Government with a copy to the concerned authority of respective jurisdiction notified by State Government in Form-IX electronically and by registered post or speed post to continue the lay-off specifying the number of days ; intimating the number of workers to be laid off, the total number of workers employed in the industrial establishment, the date of lay off and the reasons for continuation of such lay off.

30. **Time-limit for review under sub-section (7) of section 78.—**The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant

permission under sub-section (4) of the section 78 within a period of thirty (30) days from the date on which such order is made.

31. **Manner of making application to the State Government by the employer for the intended retrenchment and manner of serving copy of such application to workers under sub-section (2) of section 79.—** An application for permission referred to in sub-section (1) of section 79 shall be made by the employer in Form-IX stating clearly therein the reasons for the intended retrenchment electronically and a copy of such application shall also be sent to workers electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

32. **Time-limit for review under sub-section (6) of section 79.—**The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub- section (3) of section 79 within a period of thirty (30) days from the date on which such orders is made.

33. **Manner of making application to the State Government by the employer for intended closing down of an industrial establishment and the manner of serving copy of such application to the representatives of workers under sub-section (1) of section 80.—** An employer who intends to close down an industrial establishment to which Chapter X of the Code applies shall apply electronically or otherwise in Form-IX for prior permission at least ninety days before the date on which intended closure is to become effective to the State Government, stating clearly therein the reasons for the intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically and by registered post or speed post.

34. **Time-limit for review under sub-section (5) of section 80.—**The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80 within a period of thirty (30) days from the date on which such order is made.

CHAPTER - X
WORKER RE-SKILLING FUND

35. **Contribution from other sources into re-skilling fund.-** In addition to contribution of employer under clause (a) of sub-section (2) of section 83, the fund shall consists of –

    (i) the contribution from Central Government or any body or authority of the Central Government
    (ii) the contribution from State Government or any body or authority of the State Government
    (iii) the contribution from such other sources as specified by State Government by general or special order.

36. **Manner of utilization of fund under sub-section (3) of section 83.—**

Every employer who has retrenched a worker or workers under this Code, Shall, within ten (10) days, at the time of retrenching a worker or workers shall electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the account provided by the State Government. Name of the account shall be displayed on the website of Labour Department. The fund so received shall be transferred by the State Government to each worker or workers' account electronically within forty five (45) days of receipt of funds from the employer and the worker shall utilize such amount for his re-skilling. The employer shall also submit the list containing the name of each worker retrenched the amount equivalent to fifteen days of wages last drawn in respect of each worker along with their bank account details to enable the State Government to transfer the amount in their respective account.

CHAPTER - XI
OFFENCES AND PENALTIES

37. Manner of composition of offence by a Gazetted Officer specified under sub-section (1) of section 89 and the manner of making application for the compounding of an offence specified under sub-section (4) of section 89.-

(1) The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the compounding officer), shall in the offences in which prosecution is not instituted, if the compounding officer is of the opinion that any offence under the Code for which the compounding is permissible under section 89, he shall send a notice through electronically or by registered post or speed post or manually under proper receipt to the accused in Form-X consisting of three Parts. In Part I of such Form, the compounding officer shall inter-alia specify the name of the offender and his other particulars, the details of the offence and in which section the offence has been committed, the compounding amount required to be paid towards the composition of the offence. Part II of the Form shall specify the consequences, if the offence is not compounded and part III of the Form shall contain the application to be filed by the accused if he desires to compound the offence. Each notice shall have a continuous unique number containing alphabet or numeric and other details such as officer sending notice, year, place, type of inspection for the purpose of easy identification.

(2) The accused to whom the notice referred to in sub-rule (1) is served, may send the Part III of the Form duly filled by him to the compounding officer electronically and deposit the compounding amount electronically or otherwise, within fifteen (15) days of the receipt of the notice, in the account specified by the compounding officer in the notice.

(3) Where the prosecution has already been instituted against the accused in the competent Court, he may make an application to the Court to compound the offence against him and the Court, after

considering the application, may allow composition of the offence by the compounding officer in accordance with provisions of section 89.

(4) If the accused complies with the requirement of sub-rule (2), the compounding officer shall compound the offence for the amount of money deposited by the accused and—

(a) if the offence is compounded before the prosecution, then no complaint for prosecution shall be instituted against the accused ; and

(b) if the offence is compounded after institution of prosecution under sub-rule (3) with the permission of the Court, then, the compounding officer shall treat the case as closed as if no prosecution had been launched and will proceed in accordance with composition as under clause (a) and intimate the composition of offence to the competent Court in which the prosecution is pending and after receiving such intimation, the Court shall discharge the accused and close the prosecution.

(5) The compounding officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the State Government.

CHAPTER - XII
MISCELLNEOUS

38. Protected workers under sub-section (3) and (4) of section 90.—

(1) Every registered Trade Union connected with an industrial establishment, to which the Code applies, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of the Union who are employed in that establishment and who, in the opinion of the Union should be recognised as " protected workers".

Any change in the incumbency of any such officer shall be communicated to the employer by the union within fifteen (15) days of such change.

(2) The employer shall, subject to sub-section (3) and sub-section (4) of section 90, recognise such workers to be protected workers for the purposes of section 90 and communicate to the Union, in writing, within fifteen days of the receipt of the names and addresses under sub-rule (1), the list of workers recognised as protected workers for the period of twelve months from the date of such communication.

(3) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers, admissible for the industrial establishment, under sub-section (4) of section 90, the employer shall recognise as protected workers only such maximum number of worker:

Provided that where there is more than one registered Trade Union in the industrial establishment, the maximum number shall be so distributed by the employer among the Unions that the numbers of recognised protected workers in individual Unions bear practicably by the same proportion to one another as the membership figures of the Unions. The employer shall in that case intimate in writing to the President or the Secretary of the each concerned Union, the number of protected workers allotted to it :

Provided further that where the number of protected workers allotted to a Union under this sub-rule falls short of the number of officers of the Union seeking protection, the union shall be entitled to select the officers to be recognised as protected workers. Such selection shall be made by the Union and communicated to the employer within five (5) days of the receipt of the employer's letter in this regard.

(4) When a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of "protected workers" under this rule, the dispute shall be referred to the Registrar or any authority notified by the State Government, whose decision thereon shall be final.

39. Manner of making complaint by an aggrieved worker under section 91.-

(i) Every complaint under section 91 of the Code shall be made electronically, personally or by registered post or speed post in Form-XI and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.

(ii) Every complaint under sub-rule (1) shall be verified by the worker making the complaint or by authorized representative of the worker proved to the satisfaction of the conciliation officer, arbitrator, Industrial Tribunal, to be acquainted with the facts of the case.

40. Manner of authorization of worker for representing in any proceeding under sub-section (1) of section 94.— Where the worker is not a member of any Trade Union, then, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed may be authorized by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party in Form-IV.

41. Manner of authorization of employer for representing in any proceeding under sub-section (2) of section 94.—Where the employer, is not a member of any association of employers, may authorize in Form-IV an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged to represent him in any proceeding under the Code relating to a dispute in which the employer is a party.

42. Manner of holding an enquiry under sub-section (1) of section 85.—

(1) **Complaint.—**On receipt of a complaint of the offence committed

under sub-sections (3), (5), (7), (8), (9), (10), (11) and (20) of section 86 and sub-section (7) of section 89, the same shall be enquired by an officer not below the rank of Deputy Commissioner of Labour or above as notified by the State Government under sub-section (1) of section 85 (hereinafter referred to as the enquiry officer).

(2) **Issue of Notice.—**If the complaint filed is admitted by the Enquiry officer, he shall call upon the person or persons through a notice to be sent electronically or in any form to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the complainant of the date so specified.

(3) If the person or his representative fails to appear on the specified date, the Enquiry Officer may proceed to hear and determine the complaint ex parte.

(4) If the complainant fails to appear on the specified date without any intimation to the Enquiry officer on two consecutive dates, the complaint may be dismissed :
Provided that not more than three (3) adjournments may be given on the joint application made by complainant and the opposite party :

Provided further that the enquiry officer shall at his discretion permit hearing the parties or any of the party, as the case may be, through video conferencing.

(5) **Authorization.—**The authorization to appear on behalf of any person, under sub-section (2) of section 85 shall be given by a certificate or electronic certificate, as the case may be, which shall be presented to the Enquiry Officer during the hearing of the complaint and shall form part of the record.

(6) **Permission to appear.—**Any person who intends to appear in the proceeding on behalf of complainant shall present before the Enquiry Officer and submit a brief written statement explaining the reason for his appearance. The Enquiry officer shall record an order on the statement and in the case of refusal shall include reasons for the same, and incorporate it in the record.

(7) **Presentation of documents.—**Complaint or other documents relevant to the complaint may be presented in person to the Enquiry Officer at any time during hours fixed by the Enquiry Officer, or may be sent to him electronically or by registered post or speed post.

(8) The Enquiry Officer shall endorse, or cause to be endorsed, on each document the date of the presentation or receipt, as the case may be. If the documents have been submitted electronically, no such endorsement shall be necessary

(9) **Refusal to entertain complaint.—**

(i) The Enquiry Officer may refuse to entertain a complaint presented under sub-section (1) of section 85, if after giving the complainant an opportunity of being heard, the Enquiry Officer is satisfied, for reasons to be recorded in writing that—

(a) the complainant is not entitled to present the complaint ; or

(b) the complainant is barred by limitation under the provisions of this Code ;

(c) the complainant fails to comply the directions given by the Enquiry Officer under sub-section (2) of section 85.—

(ii) The Enquiry Officer may refuse to entertain complaint which is otherwise incomplete. He may ask complainant to rectify the defects and if the Enquiry Officer thinks that the complaint cannot be rectified he may return the complaint indicating the defects and, if he, so refuses shall return it at once indicating the defects. If the complaint is presented again, after the defects have been rectified, the date of representation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 85.

(10) **Record of proceedings.—**The Enquiry Officer shall in all cases mention the particulars at the time of passing of order containing the details, i.e., date of complaint, name and address of the complainant, name and address of the opposite party or parties, section-wise details of the offence committed, plea of the opposite party, findings and brief statement of the reason and penalty imposed with signature, date and place.

(11) **Exercise of powers.—**In exercise of the powers of a Civil Court, conferred under the Code of Civil Procedure, 1908, the Enquiry Officer shall be guided in respect of procedure by relevant orders of the First Schedule of the Code of Civil Procedure, 1908, with such alterations as the Enquiry Officer may find necessary, not affecting their substance, for adapting them to the matter before him, and save where they conflict with the express provisions of this Code or these rules.

(12) **Order or direction when to be made.—**The Enquiry Officer, after the case has been heard, shall make the order or direction on a future date to be fixed for this purpose.

(13) **Inspection of documents.—**Any person, who is either a complainant or an opposite party or his representative, or any person permitted under sub-rule (3) shall be entitled to inspect any complaint, or any other document filed with the Enquiry Officer be, in a case to which he is a party.

43. Submission of a copy each of the Form to the office of Director General, Labour Bureau under clause (zzf) of sub-section 2 of section 99.—A copy each of Form VI (notice of strike), Form VII (notice of lockout), Form VIII (notice for intimation of retrenchment or closure to the Jammu and Kashmir Government), Form IX (Application for permission of lay-off or retrenchment or closure), and Form X (compounding of offences), shall be shared electronically with Director General, Labour Bureau in auto-mode.

CHAPTER - XIII
TRADE UNIONS

44. Form of application for registration under sub-section (1) of section

8. – (1) Every application for registration of a Trade Union shall be made electronically or otherwise, in FORM XII along with affidavit.

(2) The Registrar may call for further information for the purpose of satisfying himself that the application complies with the provisions of the Code.

45. Form of Certificate under sub-section (2) of section 9. - The Certificate of registration issued by the Registrar shall be electronically or otherwise, in FORM XIII.

46. Form of Register under sub-section (3) of section 9.- The register of Trade Union shall be maintained, electronically or otherwise, in FORM XIV Fee and subscription. –

(1) The fee payable on registration of a Trade Union shall be as follows.-

(i) Rs. 1000/-(Rupees one thousand only) for a Trade Union with the membership of 1000 or above.

(ii) Rs.500/- (Rupees five hundred only) for a Trade Union with the membership of less than 1000.

(2) The payment of a minimum subscription by the members of the Trade union under clause (f) of the section 7 shall not be less than, -

(i) Rs.100/- (One hundred rupees only) per annum for rural and unorganized sector workers;

(ii) Rs.200/- (Two hundred rupeesonly) per annum for workers in any other cases.

47. Form of application for withdrawal or cancellation under sub-section (5) of section 9. –

(1) Every application by a Trade Union for withdrawal or cancellation of its certificate of registration shall be sent, electronically or otherwise to the Registrar in FORM XV.

(2) The Registrar on receiving an application for withdrawal or cancellation of registration shall, before granting the application, verify that the application was approved, in a general meeting of the Trade Union or if it was not so approved, that it has the approval of a majority of the members of the Trade Union. For this purpose the Registrar may call for such further particulars as he may deem necessary and may examine any office bearer of the Union.

48. Appeals under sub-section (1) of section 10. - Any appeal made under sub-section (1) of section 10 shall be filed within ninety days of the date on which the Registrar passed the order against which the appeal is made.

49. Application to be made to the Tribunal. - A worker /Trade union desire to raise a dispute before the Industrial Tribunal under sub-section (1) of section 22, shall apply in FORM XVI, under intimation of the Registrar having jurisdiction over that area.

50. Change in registration particulars and its constitution or rules under sub section (3) of section 11. – (1) Intimation of any change under sub section (3) of section 11 shall be given electronically or otherwise by the Registered Trade Union in FORM XVII within fourteen(14)days of such change**.**

(2) On receiving a copy of an application made for the alteration of the rules of a Trade Union, the Registrar, unless he has reason to believe that the alteration has not been made in the manner provided by the rules of the Trade Union, shall register the alteration in a register to be maintained for this purpose and shall notify the fact that he has done so to the Secretary of the Trade Union.

(3) The fee payable for registration of alteration of rules shall be Rs 250/- (Two hundred and fifty rupees only) for each set of alterations made simultaneously.

51. Change of name under section 24 (3). –

(1) The notice of any change of the name of a Trade Union shall be sent to the Registrar in FORM XVIII.

(2) When the registrar registers a change of name under section 24, he shall certify under his signature at the foot of the certificate issued under Rule 42 that the new name has been registered. The Secretary shall present the certificate to the Registrar for making this entry.

52. Amalgamation of trade unions under sub-section (2) and (3) of section 24.- Form of Notice. - Notice of every amalgamation shall be sent to the Registrar, electronically or otherwise in duplicate in FORM XIX.

53. Dissolution of registered Trade Unions under sub-section (1) of section 25. - When a registered trade union is dissolved, notice of dissolution shall be sent within fourteen days, electronically or otherwise to the Registrar in FORM XX.

54. Division of Funds under sub-section (2) of section 25.- Where it is necessary for the Registrar to distribute the funds of a registered trade union which has been dissolved, he shall divide the fund among the members in proportion to the amounts contributed by them by the way of subscription during their membership.

55. Annual returns under section 26. - The annual return to be furnished under section 26 shall be submitted to the Registrar, electronically or otherwise by the 30th day of April in each year and shall be in FORM XXI.

56. Audit under clause (j) of section 7. –

(1) Save as provided in sub-rules (2), (3), (4) and (5) of these rules, the annual audit of the account of any registered Trade Union shall be conducted by an auditor authorized to audit the accounts of companies under section 139 and section 141 of the Companies Act, 2013.

(2) Where the membership of a registered Trade Union did not at any time during the year ending on 31st December exceed 2000, the annual audit of the accounts may be conducted-

(a) by any examiner of local fund accounts; or
(b) by any local fund auditor appointed by the [State] Government; or
(c) by the person, who, having held an appointment under Government in any audit or accounts departments, is in receipt of a pension of not less than Rs.22,000/- per mensem.

(3) Where the membership of a registered Trade Union did not at any time during the year ending on 31st December exceed 1000, the annual audit of the accounts may be conducted-

(a) by any person, who, having held an appointment under the Government in any audit or accounts department, is in receipt of a pension from Government of not less than Rs.17,000/- per mensem, or
(b) by any auditor appointed to conduct the audit of any co-operative societies by the Government or by the Registrar of Co-operative Societies or by any State co-operative organization recognized by the Government for this purpose.

(4) Where the membership of a registered Trade Union did not at any time during the year ending on the 31st December, exceed 500, the annual audit of the accounts may be conducted by any two members of the Union.

(5) Where the registered Trade Union is a federation of Trade Unions, and the number of unions affiliated to it at any time during the year ending on the 31st December, did not exceed 50, 15 or 5, respectively, the audit of the accounts of the federation may be conducted as if it had at any time during the year had a membership of more than 2,000, 1000 or 500, respectively.

57. Disqualification of Auditors. – Notwithstanding anything contained in Rule 54, no person, who, at any time during the year, was entrusted with any part of the funds or securities belonging to the Trade Union shall be eligible to audit the accounts of that Union.

58. Declaration by Auditors. - The auditor or auditors appointed in accordance with the rules shall be given access to all the books of the Trade Union and shall verify the general statement submitted under section 26 with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended to FORM XXI, indicating separately on that form under h is signature or their signatures a statement showing in what respect he or they find the return to be incorrect, untouched or not in accordance with the Code. The particulars given in this statement shall indicate-

(a) every payment which appears to be unauthorized by the rules of the Trade Union or contrary to the provisions of the Code;
(b) the amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person;
(c) the amount of any sum which ought to have been but is not brought to account by any person.

59. Audit of Political fund. - The audit of the political funds of a registered

Trade Union shall be carried out along with the audit of the general account of the Trade Union and by the same auditor or auditors.

60. Maintenance of account books by registered Trade Unions. - Every registered Trade Union shall maintain the following books and registers to facilitate the audit of its accounts namely –.

(a) register of membership and subscription;

(b) register of receipts and disbursements of the general fund accounts;

(c) minutes books to record the proceeding of all the meetings;

(d) register of stocks, tools, and plant to show the furniture, fitting and valuable documents relating to the immovable property of the Trade Union;

(e) register of receipts and disbursements for the political fund (if there is a political fund); and

(f) a file of vouchers serially arranged;

(g) Machine numbered subscription receipt book.

61. Inspection of register and documents. –

(1) The register of Trade Unions maintained in accordance with rule 43 shall be made available for inspection to any person on payment of fee of Rs 100 (One hundred rupees only).

(2) Any documents of the Trade Union lying in the possession of the registrar may be inspected by any member of that Trade Union on payment of a fee of Rs. 100/- (One hundred rupees only) for each document inspected.

(3) Documents shall be open to inspection every day on which the office of the Registrar is open and within such hours as may be fixed for this purpose by the Registrar.

62. Rights and obligations of sole negotiating union or negotiating council under sub- section (1) of section 14. –

(1) Sole negotiating union or negotiating council may negotiate in respect of matters pertaining to any dispute or difference between employers and workers which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person and includes any dispute or difference between an individual worker and an employer connected with, or arising out of discharge, dismissal, retrenchment or termination of such worker.

(2) The executive committee of the trade union shall meet at an interval of not more than three months.

(3) All resolutions passed, whether by the executive committee or the general body of the trade union, shall be recorded in a minute book kept for the purpose.

63. Criteria for recognition of trade union as Sole Negotiating union or

Negotiating Council under section 14. - Criteria for recognition of Sole Negotiating union or Negotiating Council under sub-sections (2), (3) and (4) of section 14 shall be as follows, namely: -

(1) A Trade Union claiming as sole negotiating union of the workers or for inclusion in a negotiating council shall apply to the industrial establishment along with list of its members of that particular establishment.

(2) On receiving a claim from a registered trade union as mentioned in sub-rule (1), the verification of the same shall be carried out by the industrial establishment as specified in rule 61

(3) Where there is more than one trade union in an industrial establishment, a trade union claiming recognition shall have completed a period of six (6) months after its registration. Where there is only one union, this condition would not apply.

(4) The membership of the trade union shall be counted only of those members who had paid their subscriptions for at least three months during the period of six months immediately preceding the reckoning.

64. **Verification process for recognition of trade union as sole negotiating union or negotiating Council under Section 14. -** Verification process for recognition of sole negotiating union or negotiating Council under sub-section (3) of section 14 shall be as follow, namely: -

(1) The industrial establishment shall extend the facility of deduction of union subscription from the wages of the member worker who authorizes deduction of subscription in writing and the amount so deducted shall be deposited, electronically or otherwise, in the official bank account of the Trade Union.

(2) In case of worker being member of multiple trade unions then the last subscription deducted shall be considered for the aforesaid purpose.

65. **Authority to decide in case of dispute. -** In case dispute arises for recognition of trade union, as a sole negotiating union or negotiating council, the decision of the authorities notified under section 5 shall be final and binding to the parties of the dispute.

66. **Facilities to Negotiating Union or Negotiating Council. -** The facilities to be provided by the industrial establishment under sub-section (7) of section 14 to a negotiating union or negotiating council shall be mutually decided by the industrial establishment and a negotiating union or negotiating council, as the case may be.

67. **Objects on which general funds may be spent under sub-section (1) of section 15. -** The general funds of a registered Trade Union shall not be spent on any other object than the following, namely:-

(a) the payment of wages, allowances and expenses to office-bearers of the Trade Union;

(b) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the general funds of the Trade Union;

(c) the prosecution or defense of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defense is undertaken for the purpose of securing or protecting any rights of the Trade Union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs;

(d) the conduct of trade disputes on behalf of the Trade Union or any member thereof;

(e) the compensation of members for loss arising out of trade disputes;

(f) allowances to members or their dependents on account of death, old age, sickness, accidents or unemployment of such members;

(g) the issue of, or the undertaking of liability under, policies of assurance on the lives of members, or (under) policies insuring members against sickness, accident or unemployment;

(h) the provisions of education, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependents of members;

(i) the upkeep of a periodical published, mainly for the purpose of discussing questions affecting employers or workmen as such;

(j) the payment, in furtherance of any of the objects on which the general funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any financial year shall not at any time during that year be in excess of 1/4th of the combined total of the gross income which has up to that time accrued to the general funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year.

(k) Subject to any conditions contained in the notification, any other objects notified by the State Government in the official Gazette.

68. Constitution of a separate fund for political purposes.-

(1) A registered Trade Union may constitute a separate fund, from contributions separately levied for or made to that fund, from which payments may be made, for the promotion of the Trade Union or any office-bearer or member thereof in respect of any act done in contemplation or furtherance of a trade dispute to which a member of

the Trade Union is a party on the ground only that such act induces some other person to break a contract of employment, or that it is in interference with the trade, business or employment of some other person or with the right of some other person to dispose of his capital or of his labour as he wills.

(2) A registered Trade Union shall not be liable in any suit or other legal proceeding in any Civil Court in respect of any tortuous act done in contemplation or furtherance of a trade dispute by an agent of the Trade Union if it is proved that such person acted without the knowledge of, or contrary to express instructions given by, the executive of the Trade Union .

FORM - I

(See Rule 2)

(Memorandum of settlement arrived at during conciliation/ or settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding)

Names of Parties:

..... Representing employer(s);

....Representing workers;

Short recital of the case

……..

Terms of settlement

……..

Signature of the parties / Authorised Representatives of the Parties

Witnesses:

(1)

(2)

*Signature of Conciliation Officer

In case the settlement arrived at between the employer and his workers otherwise than in the course of conciliation preceding the copy of the memorandum shall be marked to the Commissioner of Labour.

FORM-II

(See Rule 16)

(Notice of change of service conditions of workers proposed by an employer)

Name of employer.....

Address .....

.....

Dated the .....day of ..... 20.....

In accordance with section 40(1) of Industrial Relation code I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from ..... in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to this code

Signature.....

Designation.....

ANNEXURE

(Here specify the change/changes intended to be affected)
Copy forwarded to:

1. The Secretary of registered Trade Union, if any.
2. Commissioner of Labour
3. Concerned Conciliation Officer.

FORM-III

(See sub-rule (1) of Rule 17)

(Agreement for voluntary arbitration)

BETWEEN

.....,.....Name of the parties representing employer(s)

And

.....Representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of..... [here specify the name(s) and address(es} of the arbitrator(s).

(i) Specific matters in dispute.

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.

(iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers in question.

(iv) Total number of workers employed in the undertaking affected.

(v) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrator(s) shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator (s) shall make his (their) award within a period of..... (here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the State Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties representing employer

/ Representing worker/ workers.

Witnesses

1.....

2 .....

Copy to: (i) The Principal Secretary to the Government of Andhra Pradesh,

Department of Labour

(ii) Commissioner of Labour

(iii) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned].

FORM-IV

(See Rules 19, 40 & 41)

(AUTHORIZATION BY A WORKER, GROUP OF WORKERS, EMPLOYER, GROUP OF EMPLOYERS TO BE REPRESENTED IN A PROCEEDING BEFORE THE AUTHORITY UNDER THIS CODE).

Before the Authority

(Here mentions the authority concerned)

In the matter of.....(mention the name of the proceeding)

…….. workers

Versus ..... employer

I/we hereby authorize Sri (if representatives are more than one) 1.....2.....3 ..... to represent me/us inthe above matter.

Dated this.....day of.....20.....

Signature of person{s) nominating the representative(s)

Address Accepted

FORM-IV(A)

(See sub-rule (21) of Rule 20 & sub-rule (21) of Rule 21)

Form of Oath of Office for Judicial Member or Administrative Member (whichever is applicable) of State Industrial Tribunal

I, ……., having been appointed as Judicial Member /Administrative Member (whichever is applicable) of Industrial Tribunal ..... (Name of the Tribunal) do solemnly affirm/ do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Judicial Member/ Administrative Member of Industrial Tribunal ……. (Name of the Tribunal) to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

(Signature)

Place:
Date:

FORM-V

(See sub-rule (5) of Rule 22)

(Application to be submitted before the Industrial Tribunal in the matter not settled by the Conciliation Officer)

Before ..... (here mention the name of the Industrial Tribunal having jurisdiction over the area)

In the matter of..... (mention the details of the matter)

..... Applicant
Address.....•.....
Versus
..... Opposite party (ies)
Address.....

The above mentioned applicant begs to state as follows :-
(Here set out the relevant facts and circumstances of the case).

The applicant prays that the instant dispute may please be admitted for adjudication and request to pass appropriate Award.

Date .....
Place .....

Form-VI
(See Rule 23)
(Notice of Strike to be given by Union (Name of Union)/Group of Workers)

Name of five elected representatives of workers.....

Dated the.....day of.....20.....,... .

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relation code I/We hereby give you notice that I propose to call a strike / we propose to go on strike on .....20……for the reasons explained in the annexure.

Yours faithfully

(Secretary of the union)

Five representatives of the workers duly elected at a meeting held on .....(date), Vide resolution attached
ANNEXURE

Statement of the Case
Copy to,

1) Commissioner of Labour,
2) Conciliation officer of the concerned area

FORM-VII

(See sub-rule (1) of Rule 24)

(Notice of Lock-out to be given by an employer of an industrial establishment)

Name of employer .....

Address .....

Dated the .....day of.....20.....

In accordance with the provisions of 62(6) of this code, I/we hereby give notice to all concerned that it is my/our intention to effect lock out in..,..... ..... department(s), section(s) of my/our establishment with effect from ..... for the reasons explained in the annexure.

Signature .....

Designation.....

ANNEXURE

1.	**Statement ofreasons** **information attached must be verified**

Copy forwarded to:

(1) The Secretary of the Registered Union, if any

(2) Conciliation officer .....

(3) Commissioner of Labour

FORM VIII

(See Rules 25 & 27)

(NOTICE OF INTIMATION OF RETRENCHMENT/ CLOSURE TO BE GIVEN BY AN EMPLOYER TO THE STATE GOVERNMENT UNDER THE PROVISIONS OF CHAPTER IX OF THE INDUSTRIAL RELATIONS CODE, 2020 AND RULES MADE THERE UNDER)

(To be submitted online. In case of exigencies, on paper in the prescribed format below)

Name of Industrial Establishment/Undertaking/Employer …….

Labour Identification Number ……

Dated …….. (Note: The intimation for Closure/Retrenchment to the appropriate government shall be served 60 days and 30 days before commencement of closure/ retrenchment respectively)

To,

The Secretary to the Government,

Labour, Factories, Boilers & Insurance Medical services Department
Secretariat, Velagapudi

1. *(Retrenchment)(a) Under Section 70(C) of this Code, I/We * here by intimate you that I*/We* have decided to retrench ……. Workers** out of a total of Workers** with effect from .....(DD/MM/YYYY)
   Or

   *(Closure)(b)Under Section 74(1) of this Code, I/We * here by intimate you that I*/We* have decided to close down, …….(Name of the industrial establishment or undertaking) with effect from ..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is.....(number of workers)

2. The reason for Retrenchment/Closure is ……

   ……

   ……

3. * The worker(s) * concerned were given on the …….. (DD/MM/YYYY) one month's notice in writing as required under section 70(a)*/section 75(1)* of this Code.

   Or

   The worker(s) concerned have been given on the …….. (DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)/section 75(1)* of this Code.

4. *I*/We* here by declare that the worker(s) concerned have been */will be * paid all their dues along with the compensation due to them under section 70*/section 75* of

this Code before or on the expiry of the notice period.

Or

I/We here by state that currently insolvency proceedings are on in respect of the said industrial establishment/Undertaking/Employer, and that I*/We* will pay all the dues along with the compensation due to them under concern laws.

5. (Retrenchment) I/We* hereby declare that the worker(s) concerned have been */will be * retrenched in compliance to the section 71 and section 72 of this Code.
6. I*/We* hereby declare that no court case is pending before any court in the matter, and if yes, the details thereof have been Annexed
7. I*/We* hereby declare that the above information given by me */us* in this notice and the Annexure is true, I*/We* am*/are* solely responsible for its accuracy and no facts /materials has been suppressed in the matter.

Yours faithfully,

(Name of Employer/*** Authorized Representative with seal)

*Strike of which is not applicable

**Indicate number in figures and words both

***Copy of Authorization letter issued by the employer shall be enclosed

Copy to:

1. Deputy Commissioner of Labour of the concerned area
2. The Registered Unions/Authorized Representatives of workers operating in the establishments or undertakings.

FORM IX

(See Rules 28, 29, 31 & 33)

(Application for permission of lay-off/continuation of lay-off / Retrenchment / Closure to be given by an employer / Industrial Establishment / Undertaking to the Notice of intimation of retrenchment/ closure to be given by an employer to the State government under the provisions of Chapter X of the Industrial Relations Code, 2020 and Rules made there under)

(To be submitted online. In case of exigencies, on paper in the prescribed format below)
Name of Industrial Establishment/Undertaking/Employer …….
Labour Identification Number ……

Dated ……..

(Note: The application to the State Government shall be served as indicated below:

Lay-off: at least 15 days before the intended lay-off Continuation of Lay-off: at least 15 days before the expiry of earlier lay-off Retrenchment: at least 60 days before the intended date of retrenchment Closure: at least 90 days before the intended date of closure)

To,
The Secretary to the Government,
Labour, Factories, Boilers & Insurance Medical services Department
Secretariat, Velagapudi, Andhra Pradesh.

1. *(Lay-off) (a) Under Section 78(2) of the Industrial Relations Code, 2020 I/We * here by apply for – permission to lay-off..... workers** out of total of …… workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from .....DD/MM/YYYY)

   Or

   *(Continuation of Lay-off) (b) Under Section 78(3) of the Industrial Relations Code, 2020 I/We * here by apply for – permission to continue the lay-off …… workers** out of total of …… workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from …… DD/MM/YYYY)

   Or

   *(Retrenchment)(c)Under Section 79(2) of the Industrial Relations Code, I/We * here by apply for permission for intended Retrenchment of .....Workers out of total of …… workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from ……. (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is ……. (number of workers).

2. *(Lay-off/Continuation of Lay-off) the worker(s) concerned were given on ……. (DD/MM/YYYY) notice in writing as required under section 78(2)* of this Code.

   Or

(Retrenchment/Closure) the worker(s) concerned were given on …… (DD/MM/YYYY) one month's notice in writing as required under section 79/ section 80* of this Code

Or

(Retrenchment/Closure) the worker(s) have been given on …… (DD/MM/YYYY) one month's pay in lieu of notice as required under section 79/ section 80* of this Code

3. The details of affected worker(s) are at Annexure-II

4. (Retrenchment) I*/We* here by declare that the worker(s) concerned will be retrenched in compliance to the section 71 and section 72 of this

5. *I/We* here by declare that the worker(s) concerned have been */will be * paid all the dues and compensation due to them under section 67, read with section 78(10)*/ section 79* /section 80* of this Code before or on the expiry of the notice period.

Or

I/We hereby state that currently insolvency proceedings are on in respect of the said Industrial Establishment/ Undertaking/Employer, and that I*/We* will pay all the dues along with the compensation due to them under concerned laws.

6. I*/We* hereby declare that no court case is pending before any court in the matter, and if yes, the details thereof have been Annexed.

7. I*/We* hereby declare that the above information given by me */us* in this notice and the enclosure(s) is/are* true, I/We* am/are* solely responsible for its accuracy and no facts /materials has been suppressed in the matter.

The permission sought for may please be granted

Yours faithfully,
(Name of Employer/*** Authorized Representative with seal)

*Strike of which is not applicable
**Indicate number in figures and words both
***Copy of Authorization letter issued by the employer shall be enclosed

ANNEXURE I
(Please give replies against each item)

1	Name of the undertaking with complete postal address, e-mail, mobile and Landline	
2	Status of undertaking – (i) Whether State public sector (ii) Whether a private limited company/ partnership firm (iii) Whether the undertaking is licensed/ registered and if so, Name of licensing/ registration authority and license/ registration certificate numbers	
3	(a) MCA Number (b) GSTN Number	
4	(i) Annual production, item wise preceding three years (ii) Production figures, month wise, for the preceding twelve months.	
5	Audit report of establishment/ undertaking including balance sheets, profit & loss account for the last three years	To be annexed
6	Names of the inter-connected companies or companies under the same management	
7	Details of Lay-off/ Retrenchment resorted to in the last three years including the periods of such lay-offs/ retrenchments the number of workmen involved in each such lay-off/ continuation of lay-off/ retrenchment	
8	Any other relevant details which have bearing on lay-offs/ continuation of lay-off/ retrenchment/ closure	

ANNEXURE II
(Details of affected workers)

Sl. No	UAN / CMP FO	Name of the worker	Category (Highly skilled/ Skilled/ Semi-skilled/ Unskilled)	Date from which in service in/ with the said establishment/ undertaking/ employer	Wage as on date of application	Remarks
1						
2						
3						

FORM-X

(See Rule 37)

(Notice to the Employer who committed an offence for the first time under this code, for compounding of offence under sub-section (4) of section 89)

The undersigned and the Compounding Officer under sub-section 1 of section 89 of the Industrial Relation Code, 2020 hereby intimates that the allegation has been made against you for committing offence for the violation of various provisions of this Code as per the details given below; -

PART- I

1. Name and Address of the offender Employer- .....

2. Address of the Establishment .....

3. Particulars of the offence.....

4. Section of the Code under which the offence is committed .....

5. Compounding amount required to be paid towards composition of the offence.....

PART-II

You are advised to deposit the above-mentioned amount within fifteen days from the date of issue of this notice for compounding the offence as per section 89(1) of the Industrial Relation Code, 2020, along with an application dully filled in part - III of this notice.

In case you fail to deposit the said amount within the specified time, no further opportunity shall be given and necessary direction for filing of prosecution under sections .....shall be issued.

(Signature of the Compounding Officer)

Date:
Place:

PART-III

Application under sub-section (4) of section 89 for compounding of offence

1. Name of applicant (name of the employer who committed the offence under the Industrial Relation Code, 2020 to be mentioned) ……
2. Address of the applicant ……
3. Particulars of the offence ……..
4. Section of the Code under which the offence has been committed …….
5. Details of the compounding amount deposited (electronically generated receipt to be attached)……..
6. Details of the prosecution, if filed for the violation of above-mentioned offences may be given ……
7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence…….
8. Any other information which the applicant desires to provide

……

……..……..

Applicant

(Name and Signature)

Date:
Place:

FORM-XI

(See Rule 39)

(Complaint under Section 91 of the Industrial Relation Code, 2020)
Before the Conciliation officer/ Arbitrator/ Industrial Tribunal…….

In the matter of:……Reference No……..

A……. Complainant(s)

Versus

B……. Opposite Party(ies)

Address:

The petitioner(s) begs/beg to complain that the opposite party(ies) has /have been guilty of a contravention of the provisions of section 90 of the Industrial Relation Code, 2020 as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged)

The complainant(s) accordingly prays/pray that the conciliation officer/arbitrator/ industrial tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint and its Annexure required under rule 91 of the Industrial Relation Code are submitted herewith.

Dated this…… day of.....20…. Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph …… above is true to my knowledge and that what is stated in paragraphs…… above is stated upon information received and believed by me to be true. This verification is signed by me at …….. on ……. Day of ……20….

Signature Or Thumb impression
of the person verifying

FORM XII

(See sub-rule 1 of Rule 44)

APPLICATION FOR REGISTRATION OF TRADE UNION

Name of Trade Union ……..…….

Address ……..

Dated the …… day of ……20……..

(1) This application is made by the persons whose names are subscribed at the foot hereof.

(2) The name under which it is proposed that the trade union, on behalf of which this application is made, shall be registered is …… as set forth in Rule No ……

(3) The address of the head office of the Trade Union to which all communications and notices may be addressed is ……..……

(4) The .....union came into existence on the ……. Day of ……20……..

(5) The Trade Union is a union of employers/ workers engaged in the ……. Industry / or……. Profession/or …… (Establishment) and has.....members.

(6) The particulars required by section 9 of the Industrial Relations Code, 2020, are given in Schedule I

(7) The particulars given in schedule II show the provisions made in the rules for the matters detailed in section 8 of the Industrial Relations Code, 2020.

(8) (to be struck out in the case of Trade Unions which have not been in existence for one year before the date of application). The particulars under section 8(2) of the Industrial Relations Code, 2020 are given in Schedule III.

(9) One copy of the rules of the Trade Union attached to this application.

(10) We have been duly authorized by the Trade Union to make this application on its behalf and such authorization consisting of ……

Signature	Occupation	Address
1.		
2.		
3.		
4.		
5.		
6.		
7.		

To,

The Registrar/ Deputy Registrar,

Trade Unions, Andhra Pradesh.

SCHEDULE I

List of office-bearers
Name of Trade Union

S.No	Title	Name	Age	Address	Occupation

Note: Enter in this schedule the name of all members of the executive of the union, showing in column 1 the names of any posts held by them (ex: President, Secretary including the general secretary, Treasurer etc.) in addition to their (office bearers) a member of the executive.

SCHEDULE II

Reference to Rules

The numbers of the rules making provision for the several matters detailed in column I are given in column II below.

S.No	Matter	Number of Rules
1	Name of Trade Union	
2	The whole of the objects for which the union has been established	
3	The whole of the purposes for which the general funds of the union shall be applicable	
4	The maintenance of the list of members	
5	The facilities for the inspection of the account books by office bearers and its members	
6	The admission of ordinary members	
7	The admission of honorary or temporary members	
8	The conditions under which members are entitled to benefit assured by the rules	
9	The conditions under which fines or forfeitures can be imposed or varied	
10	The manner in which the rules shall be amended, varied or rescinded	
11	The manner in which the members of the executive and the other (office bearers) of the union shall be appointed and removed	
12	The safe custody of the funds	
13	The annual audit of the accounts	
14	The manner in which the union may be dissolved	
15	The manner in which the membership can be terminated	

SCHEDULE III

(This need not be filled in if the Union came into existence less than one year before the date of application for registration)

Statement of Liabilities and Assets on the …… day of …… 20…….

Liabilities	Rs.	Assets	Rs
Amount of general fund Amount of Political fund Loans from Debts due to Other liabilities (to be specified)		Cash In hands of Treasury In hands of Secretary In hands of In the Bank In the Bank Securities as per list below Unpaid subscriptions due loans to Immovable property Goods and Furniture Other assets (to be specified)	
Total Liabilities		Total Assets	

List of Securities

Particulars	Face value	Cost Price	Market Value	In hands

AFFIDAVIT

(To be produced on Stamp paper)

I, ……, Son of....., resident of ……. as president of (name of the Union).....hereby solemnly declare that, I have applied for the registration of above Trade Union. I, further certify on oath that there is no criminal case pending in any Court of Law against me or any of the following office- bearers of our Union. I/We further certify that I/We have never been found guilty/ convicted of any legal offence and / or crime by any Court of Law in the past.

S.No	Name of office bearers	Occupation/ Name of Establishment	Residential address	Photograph	Signature
1					
2					
3					
4					
5					
6					
7					

I am submitting this affidavit for the purpose of registration of above Trade Union. I declare that the above information given by me is true to the best of my knowledge.

Solemnly affirmed by me on ……(date) at..... (place)

Signed by

To be attested by Public Notary

Notes:

- Please use prescribed Form for the application
- Please fill the application form completely and correctly
- Affidavit in the prescribed format to be attached
- Receipts of membership – proof attached
- The copy of the rules of the Trade Union attached
- The details of Schedule I attached
- The details of Schedule II attached
- The general statement of the Assets and Liabilities of the Trade Union for those Trade Unions which has been in existence for more than one year – details of schedule III attached
- The notice, minutes of general meeting and resolutions duly passed and signed by the members of the applicant Trade Union.
- The copy of attendance register attached.

FORM XIII

(see rule 45)

CERTIFICATE OF REGISTRATION OF TRADE UNION

Office of the Registrar / Deputy Registrar of Trade Unions……. ,

Name of Trade Union:-
Registration Number :-

It is hereby certified that the ……..

Union has been registered under the Industrial Relations Code 2020 this day of …….. 20……

Seal Registrar / Deputy Registrar of Trade Unions

……..

FORM XIV

(see rule 46)
REGISTER OF TRADE UNIONS

Name of the Union	Address of the Union Office	Date of Registration	Name of the Present Office Bearers	No.of Members	Date of Canellation	Date of Dissolution	Date of Amalgamation	Name of the Trade Union with which amalgamated	Date of Change in Office Bearers	Date of Change in Rules	Any Other Information	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

Signature of Registrar

FORM XV

(see rule 48)

REQUEST TO WITHDRAW OR CANCEL CERTIFICATE OF REGISTRATION

Name of Trade Union:-

Registration Number :- (Address):

Dated this ……day of …… 20

To,

The Registrar / Deputy Registrar of Trade Unions,

……

The above mentioned Trade Union desires that its certificate of registration under Industrial Relations Code, 2020 may be withdrawn / Cancelled and at a general meeting duly held on the ……. Day ……of 20…
It was resolved as follows:

Here gives exact copy of Resolution

(Signed)

Notes :-

- Please use Prescribed Form for the application.
- Please fill the application form completely and correctly.
- ID proof with Name, Occupations and Addresses of work of at least 7 members mentioned in the application attached.
- The form contains the signature details of the authorized.
- The form signed by the SEVEN members of the Trade Union.
- The copy of the rules of the Trade Union attached.
- The registration certificate of the Trade Union attached.
- Address proof of its head office of the Trade Union mentioned in the application attached.
- The Notices of General Body meeting to all members attached.
- The resolution copy for Cancellation of Trade Union signed by at least two third of the total number of its members attached.
- The copy of attendance register attached.

FORM XVI

(see rule 50)

APPLICATION BEFORE TRIBUNAL REGARDING ADJUDICATION OF DISPUTES OF TRADE UNIONS

To,

Member

Tribunal at .....

(1) Name of Applicant : _____

(2) Name of Respondent : _____

(3) Brief Description of Dispute : _____

_____

Place:

Station:

Date: Signature of the Applicant

CC:- To The Registrar / Deputy Registrar of Trade Unions

FORM XVII

(see sub rule 1 of Rule 51)

CHANGE IN REGISTRATION PARTICULARS AND ITS CONSTITUTION OR RULES

Part – I

Date:

Registration Number:-

Name of Trade Union already registered:-
Address of the Trade Union:

To,

The Registrar/ Deputy Registrar of Trade Unions,

……..

Subject: Application for change in Constitution / Rules

Rule No.	Wording of Current Rule	Proposed Amendment	Wording of the Rule after Amendment	Reason for Amendment

(Authorized Signatory with Seal)

Notes:

- Please use prescribed Form for the Application.
- Please fill the application form completely and correctly
- ID proof with Name, Occupations and Addresses of work of at least 7 members mentioned in the application attached.
- The form contains the signature details of the authorized
- The form signed by the 7 members of the Trade Union.
- The Copy of the rules of the Trade Union attached.
- The registration certificate of the Trade Union attached.

- Address proof of its head office of the Trade Union mentioned in the application attached.
- The Notices of GBM to all members attached.
- The approval letter for the change in rules or constitution signed by at least two third of the total number of its members attached.
- The copy of attendance register attached.
- The application is made within the 14 days from the general body meeting.

Part – II

Date:

Registration Number:-

Name of Trade Union already registered:-
Address of the Trade Union:

To,

The Registrar/ Deputy Registrar of Trade Unions,

……..

Subject : Application for change of Address of the Head Office of a Registered Trade Union

Notice is hereby given that the Head Office of the above mentioned Trade Union has been shifted from …….. And is now situated at ……..... .in…….. City / Town / District.

(Authorized Signatory with Seal)

Notes:

- Please use prescribed Form for the Application.
- Please fill the application form completely and correctly
- ID proof with Name, Occupations and Addresses of work of at least 7 members mentioned in the application attached.
- The registration certificate of the Trade Union attached.
- Address proof of its head office of the Trade Union mentioned in the application attached.

FORM XVIII

(see sub-rule 1 of Rule 52)
NOTICE OF CHANGE OF NAME

Name of Trade Union already registered :-
Registration Number:-

(Address):

Dated this ……day of …… 20

To,

The Registrar / Deputy Registrar of Trade Unions,

……

Notice is hereby given that the provisions of Section 24 of the Industrial Relations Code, 2020 having been complied with the names of the above mentioned Trade Union has been changed to ……..

The consent of the members was obtained by

(Signature)

1 ……President	5 …… Member
2 ……Secretary	6 …… Member
3……Member	7 …… Member
4…… Member	8 …… Member

Notes:

- Please use prescribed Form for the Application.
- Please fill the application form completely and correctly
- ID proof with Name, Occupations and Addresses of work of at least 7 members mentioned in the application attached.
- The form contains the signature details of the secretary.
- The form signed by the 7 members of the Trade Union.
- The Copy of the rules of the Trade Union attached.
- The registration certificate of the Trade Union attached.
- Address proof of its head office of the Trade Union mentioned in the application attached.

- The Notices of GBM to all members attached.
- The resolution copy for Cancellation of Trade Union signed by at least two third of the total member of its members attached.
- The approval letter for the change in rules or constitution signed by at least two third of the total number of its members attached.
- The copy of attendance register attached.

FORM XIX

(see rule 53)

NOTICE OF AMALGAMATION OF TRADE UNIONS

A. Name of Registered Trade Union:-
   Registration Number:-
B. Name of Registered Trade Union:-
   (Add so on if more, than two)
   Registration Number:-

(Address):
Dated this ……day of …… 20

To,

The Registrar / Deputy Registrar of Trade Unions,

……

Notice is hereby given that in accordance with the requirement of Section 24 of the Industrial Relations Code, 2020 the members of each (or every ony) of the above mentioned Trade Unions have resolved to become amalgamated together as on Trade Union.

And that the following are the terms of the said amalgamated (State the terms.)

And that it is intended that the Trade Union…… shall henceforth be called the……..

Accompanying this notice is a copy of the rules intended to be henceforth adopted by the amalgamated Trade Union which are the rules (if so) of the Trade Union.

(To be signed by seven members and the secretary of each Trade Union)

Name and address	1.	Secretary
(Signed) to which	2.	
registered Copy is to be	3.	
sent	4.	
	5.	Members
	6.	
	7.	
	8.	

Notes:

- Please use prescribed Form for the Application.
- Please fill the application form completely and correctly
- ID proof with Name, Occupations and Addresses of work of at least 7 members mentioned in the application attached.
- The form contains the signature details of the Secretary
- The form signed by the 7 members of the Trade Union.
- The Copy of the rules of the Trade Union attached.
- The registration certificate of the Trade Union attached.
- Address proof of its head office of the Trade Union mentioned in the application attached.
- The Notices of GBM to all members attached.
- The approval letter for the change in rules or constitution signed by at least two third of the total number of its members attached.
- The copy of attendance register attached.
- The copy of terms of the amalgamation attached.

FORM XX

(see rule 54)

NOTICE OF DISSOLUTION OF TRADE UNION

Name of Trade Union:-

Registration Number :- (Address):

Dated this ……day of …… 20

To,

The Registrar / Deputy Registrar of Trade Unions,

……

Notice is hereby given that the above mentioned trade union was dissolved in pursuance of the rules thereof on the …….. day of…… 20

We have been duly authorized by the Trade Union to forward this notice on its behalf, such authorization consisting of a resolution passed at a general meeting on the …….. day of …… 20.

(Signed)	1.	Secretary
	2.	
	3.	
	4.	
	5.	Members
	6.	
	7.	
	8.	

Notes:

- Please use prescribed Form for the Application.
- Please fill the application form completely and correctly
- ID proof with Name, Occupations and Addresses of work of at least 7 members mentioned in the application attached.
- The form contains the signature details of the Secretary

- The form signed by the 7 members of the Trade Union.
- The Copy of the rules of the Trade Union attached.
- The registration certificate of the Trade Union attached.
- Address proof of its head office of the Trade Union mentioned in the application attached.
- The Notices of GBM to all members attached.
- The resolution copy for dissolution of Trade Union signed by at least two third of the total number of its members attached.
- The copy of attendance register attached.

FORM XXI

(see rules 56 & 59)

(FORM FOR ANNUAL RETURNS)

Annual returns prescribed under Section 26 of the Industrial Relations Code, 2020 for the year ending 31st December, 20……..

Part – A

1. Name of the Trade Union :
2. Address of the Trade Union :
3. Number and Date of certificate of Registration :
4. Classification of industry (to be shown as per the schedule of industries attached) :
5. Classification of Sector (please state to which of the following four categories the union belongs):
   - **(a)** Public Sector – Central Sphere.
   - **(b)** Public Sector – State Sphere.
   - **(c)** Private Sector – Central Sphere, and
   - **(d)** Private Sector – State Sphere.
6. Name of the All India Body / Federation to which affiliated.
7. Affiliation Number :
8. Affiliation paid during the year :
9. Number and date of receipt for payment of affiliation fee:
10. Membership fee per month
11. Number of Members on books at the beginning of the year :
12. Number of Members admitted during the year :
13. Number of Members who left during the year:
14. Number of Members on books at the end of the year :
    (i.e. on 31st December, 20…..) Male / Female Total
15. Number of Members contributing to Political fund:
16. Number of Members who paid their subscription for the whole year:
17. A copy of the rules of the Trade Union corrected upto the date of dispatch of this return is appended :
18. Part B of the return overleaf has been duly completed:

Dated the …….. Secretary

PART – B

General Fund Account

Income	Rs.P	Expenditure	Rs.P
Balance at the beginning of the year Subscription from members (Including unpaid subscription due for the year) (a) Subscription received (b) Subscription in arrears for fees .....three months or less. (c) Subscription in arrears for more that three months. Donations ..... Sale of Periodicals, books, rules etc. Interest on Investment. Income from Miscellaneous Source (to be specified)		Salaries and allowances of office bearers Travelling allowance, Salaries, allowances and expenses of establishment. Auditor's Legal expenses ..... Expenses in conducting trade Disputes..... compensation paid to members for loss arising out of trade disputes. Funeral, Old age, sickness, Unemployment benefits, etc, Educational, Social and Religious benefits. Cost of publishing periodicals rents, rates and taxes, Expenses incurred under rule 63(j) of the Industrial Relations (AP) Rules, 2021 (to be specified) Other Expenses (to be specified) Balance at the end of the year	
Total		Total	

PART – C

Political Fund Account

Income	Rs.P	Expenditure	Rs.P
Balance at the beginning of the year Under Section 15(2) of the Industrial Relations Code, 2020 (to be specified). Contributions from ..... Members at..... per member		Payments made on objects specified Expenses of Management (to be fully specified). Balance at the end of the year	
Total		Total	

Treasurer

PART – D

Statement of Liabilities and Assets on the 31st Day December, 20……

Liabilites	Rs.P	Assets	Rs.P
Amount of General Fund Amount of Political Fund Loan From Debts Due to Other Liabilities (to be specified)		Cash- In hands of Treasurer In hand of Secretary In hands of – In the…… Bank In the…… Bank Securities as per list below Unpaid Subscription due for *(a) the year *(b) Previous year Loans to- *(a) the year *(b) Members *© Others Immovable property Goods and Furniture Other Assets (to be specified)	
Total Liabilities		Total Assets.	

PART – E

List of Securities

Particulars	Face Value	Cost of Price	Market Price at the date on which accounts have been made up	In hands of

Treasurer.

Auditor's Report

We have audited the forgoing "General Fund Account" in Part B and the "Political Fund Account " Part G of the……(Name of the Trade Union) for the period ending…… And also the Statement of Liabilities and Assets in Part 'D' and the List of Securities in Part 'E' of the said Trade Union as on ……and report that-

(i) We have obtained all the information and explanation and have had access to all the books and accounts of the Trade Union which were necessary for the purposes of our audit;
(ii) The Trade Union has properly maintained its Membership Register and its books of accounts as required by law;
(iii) (Subject to whatever remarks or qualification the auditor wants to make). In our opinion and to the best of our information and according to the explanations given to us, the foregoing accounts, statement and list have been properly drawn up and they give a true and correct view of income, expenditure, assets and liabilities of the Trade Union.

Note :- If the state of the account is such that the Auditor is unable to express the opinion on the 'True and Correct' aspect of the Account, Statement and List, he should state his reasons therefore.

Place :

Date : Signature and Seal

Auditor
Chartered Account

PART - F

Office Bearers Relinquishing Office

Name	Office	Date of relinquishing Office

Office – Bearers Appointed

Name	Date of Birth	Private Address	Personal Occupation	Title of position held in the Union / Federation	Date on which appointment in Col.5 was taken up	Other offices held in addition to membership of executive with date
1	2	3	4	5	6	7

Elections

Date of last election of Office bearers.

Date of next election of Office-bearers.
Secretary

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. ANANTHA RAMU,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
The Commissioner of Printing, Stationary and Stores purchases, Andhra Pradesh, Vijayawada. {with a request to publish the Notification in the A.P. State Gazette and furnish 10 copies to Government and 50 copies to the Special Commissioner of Labour, Andhra Pradesh, Vijayawada}.
The Special Commissioner of Labour, Andhra Pradesh, Vijayawada.
Copy to:
The Under Secretary to the Government of India, Ministry of Labour & Employment,
Shram Shakti Bhawan, Rafi Marg, New Delhi-110001.
The Additional Secretary to Chief Minister
The P.S. to Minister (LFB&IMS)
The Law (B) Department
SC

// FORWARDED :: BY ORDER //

SECTION OFFICER